

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6938**

**BILL NUMBER:** HB 1152

**NOTE PREPARED:** Feb 18, 2013

**BILL AMENDED:** Feb 18, 2013

**SUBJECT:** Practice of Occupational Therapy.

**FIRST AUTHOR:** Rep. Kirchhofer

**FIRST SPONSOR:**

**BILL STATUS:** CR Adopted - 1<sup>st</sup> House

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) *Definition-* The bill revises the definition of "practice of occupational therapy". It adds a definition of "occupational therapy services".

*Referral & Reporting-* The bill adds osteopaths or physician assistants to the practitioners that may provide a referral or order to an occupational therapist. The bill provides that an occupational therapist must report to the practitioner as specified by the practitioner who provided the referral or order. However, if the practitioner does not specify a reporting requirement, the occupational therapist shall report to the practitioner upon completion or termination of occupational therapy services. The bill makes a conforming change.

**Effective Date:** July 1, 2013.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** (Revised) *Referral & Reporting-* If a practitioner or occupational therapist does not comply with the requirements of this provision, the practitioner could be subject to a Class B misdemeanor under current law. If additional court cases occur and fines are collected, revenue to both the Common School Fund (from fines) and the state General Fund (from court fees) would increase. The maximum fine for a Class B misdemeanor is \$1,000. However, any additional revenue would likely be small.

**Explanation of Local Expenditures:** (Revised) *Referral & Reporting-* A Class B misdemeanor is punishable by up to 180 days in jail.

**Explanation of Local Revenues:** (Revised) *Referral & Reporting*- If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, any change in revenue would likely be small.

**State Agencies Affected:**

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:**

**Fiscal Analyst:** Chris Baker, 317-232-9851.